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“Indigenous Legal Traditions: The Dilemmas of Legibility”

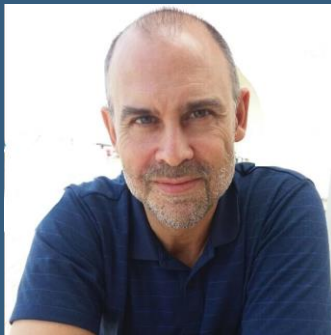
Ronald Niezen

Katharine A. Pearson Chair in Civil Society and Public Policy in the Faculty of Law
and Department of Anthropology, McGill University

Thursday March 30, 2017

5:00pm

Birks Heritage Chapel
3520 University, 2nd Floor



Canada’s Truth and Reconciliation Commission on Indian residential schools has made impactful “calls to action” concerning the recognition and pedagogy of indigenous legal traditions. This raises significant questions that center on questions of recognition and “legibility” by state legal systems. Are many indigenous legal traditions in fundamental ways incommensurable with the judicial systems of states? And does the process of formulating indigenous legal traditions in ways that allow them to be “read,” understood, and acted upon by state legal systems transform them in ways that strips them of their essential qualities and capacity for meaningful legal reform? I will address these questions with reference to exercises in “inherent jurisdiction lawmaking” in an Aboriginal community in northern Manitoba and to the history of customary law in southern Africa.

Ronald Niezen is the Katharine A. Pearson Chair in Civil Society and Public Policy in the Faculty of Law and Department of Anthropology at McGill University. He has a PhD from Cambridge University and has done research on Islamic reform in West Africa, justice campaigns in Aboriginal communities in northern Canada and on the international movement of indigenous peoples in the United Nations. His books include: *The Origins of Indigenism: Human Rights and the Politics of Difference* (University of California Press 2003) and *Truth and Indignation: Canada’s Truth and Reconciliation Commission on Indian Residential Schools* (University of Toronto Press 2013).

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